

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

)
BRIESE LICHTTENCHNIK VERTRIEBS) No. 09 Civ. 9790
GmbH, and HANS-WERNER BRIESE,)
Plaintiffs,) VERDICT FORM
-against-)
BRENT LANGTON, B2PRO, KEY)
LIGHTING, INC., and SERGIO ORTIZ,)
Defendants.)
)

We the jury unanimously find as follows:

Plaintiffs' Claim for Patent Infringement

1. Have Plaintiffs proved by a preponderance of the evidence that the following Defendants infringed Claim 1 of the '146 Patent? (Check "Yes" or "No" for each individual defendant.)

Brent Langton

Yes

No

Sergio Ortiz

Yes

No

B2Pro

Yes

No

Key Lighting, Inc.

Yes

No

If you checked "Yes" for any of the Defendants in Question 1, answer Questions 2-4. If you checked "No" for all of the Defendants, skip to Question 5.

2. What damages, if any, do you award Plaintiffs in connection with their claim for patent infringement?

\$ 300,000

3. What percentage of the damages awarded in Question 2 above is attributable to each individual Defendant? (The sum of the percentages should be 100. You should not fill in a percentage

for an individual defendant if you did not find that defendant liable for patent infringement in Question 1).

Brent Langton

yes %

Sergio Ortiz

yes %

B2Pro

yes %

Key Lighting, Inc.

yes %

4. If you find that a defendant infringed the '146 patent, you must also determine whether that defendant's infringement was willful. Have Plaintiffs proved by a preponderance of the evidence that the following Defendants willfully infringed Claim 1 of the '146 Patent? (Check "Yes" or "No" for each individual defendant that you found liable for patent infringement, if any.)

Brent Langton

Yes ✓

No _____

Sergio Ortiz

Yes ✓

No _____

B2Pro

Yes ✓

No _____

Key Lighting, Inc.

Yes ✓

No _____

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Plaintiff's Trade Dress Claim

5. Have Plaintiffs proved by a preponderance of the evidence that the following Defendants are liable for trade dress infringement? (Check "Yes" or "No" for each individual defendant.)

Brent Langton

Yes

No

Sergio Ortiz

Yes

No

B2Pro

Yes

No

Key Lighting, Inc.

Yes

No

If you checked "Yes" for any of the Defendants in Question 5, answer Questions 6-8. If you checked "No" for all of the Defendants, skip to Question 9.

6. Excluding profits, what compensatory damages, if any, do you award Plaintiffs in connection with their claim for trade dress infringement?

\$

7. Additionally, you may award Plaintiffs profits in connection with their trade dress infringement claim. What amount of

Defendants' profits, if any, do you award Plaintiffs in connection with their trade dress claim?

\$ _____

8. What percentage of the damages awarded in Questions 6 and 7 above is attributable to each individual Defendant? (The sum of the percentages should be 100. You should not fill in a percentage for an individual defendant if you did not find that defendant liable for trade dress infringement in Question 5).

Brent Langton _____ %

Sergio Ortiz _____ %

B2Pro _____ %

Key Lighting, Inc. _____ %

Partnership

9. Have Plaintiffs proved by a preponderance of the evidence that B2Pro was a partnership between Brent Langton and Sergio Ortiz?

Yes ✓ No _____

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Key Lighting, Inc. and B2Pro's Counterclaim for Trade Libel

10. Have Key Lighting, Inc. and B2Pro proved by a preponderance of the evidence that Briese Lichttechnick GMBH is liable for trade libel?

Yes ✓ No _____

If you answered "yes" to question 10, answer Questions 11-12. If not, skip to question 13.

11. What special or compensatory damages, if any, do you award Key Lighting, Inc. and B2Pro in connection with their claim for trade libel?

\$ \$1.00

12. What punitive damages, if any, do you award Key Lighting, Inc. and B2Pro in connection with their counterclaim for trade libel?

\$ \$1.00

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Brent Langton's Counterclaim for Conversion

13. Has Brent Langton proved by a preponderance of the evidence that Briese Lichttechnick GMBH and/or Hans-Werner Briese are liable for conversion?

Yes

No

If you checked "Yes" in Question 13, answer Questions 14-15. If you checked "No," skip to the end.

14. What compensatory damages, if any, do you award Brent Langton in connection with his counterclaim for conversion?

\$

15. What punitive damages, if any, do you award Brent Langton in connection with his claim for conversion?

\$

So say we all.

Dated at New York, New York, this ____ day of October 2013.

Ward Clift

Foreperson